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C O N F I D E N T I A L SECTION 01 OF 02 NASSAU 000357

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STATE FOR WHA/CAR WBENT, WHA/CCA

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SUBJECT: PARLIAMENT DEBATES CUBAN DETAINEES: PM SAYS  
DECISION MADE, BUT ANNOUNCES NOTHING

REF: NASSAU 308

Classified By: CDA D.Brent Hardt for Reasons 1.4(b) and (d)

1. (C) SUMMARY: Opposition Leader Hubert Ingraham in a bruising March 1 parliamentary session questioned the government's handling of two Cuban dentists held at the Carmichael Road Detention Center for the past 10 months (reftel). The ensuing debate on the issue divided strictly on party lines, with the opposition FNM indirectly advocating release of the detainees to the U.S. and the ruling PLP arguing the need to respect the Cuban Migration Accord and international agreements. END SUMMARY

2. (C) During the regular weekly sitting of parliament, Opposition Leader Hubert Ingraham took the government to task for its handling of the Cuban detainee issue -- his first public comments on the matter. Ingraham began by acknowledging that the government had a difficult decision to make, but said it should make it in accord with the law and the interest of the Bahamas and move on.

3. (C) In response to Ingraham, who delights in painting the PM as indecisive, the ruling PLP, led by Prime Minister Perry Christie and Foreign Minister Fred Mitchell, stuck closely to the official Government position as represented in the Foreign Ministry's public statements of February 15 and February 28: The Bahamas respects its international agreements and is committed to the Cuban Migration Accord, grants political asylum where appropriate, and will always act in the best interests of Bahamians. Christie told Ingraham, "You can advocate for other (the implication being U.S.) interests, but you go back and tell them we will be very exact in consideration of international treaties and international agreements, and will consider humanitarian issues, but we will not . . . give away The Bahamas." Christie then indicated that he had resolved the issue, stating that "I have resolved this in a way that protects the integrity of the Commonwealth." He did not, however, indicate how he had chosen to resolve the matter.

4. (C) Ingraham argued vigorously that the government had mishandled the issue, misunderstanding the legal parameters and jeopardizing Bahamian interests in the U.S. He pointed out that in a discussion over the merits of relations with the U.S. and Cuba, the U.S. has more to offer than Cuba. Furthermore, he asserted that the agreement with Cuba gives The Bahamas the discretion to determine the legal status of the migrants. Ingraham, who was Prime Minister when the Cuban accord was negotiated in 1996, said he knew the intent of the agreement and understood that it gave the Government leeway to act in favor of the U.S. He repeatedly attacked the PLP government's refusal to grant asylum in a single case since it came to power in 2002. In what will certainly be a theme in his coming bid to return as Prime Minister, Ingraham also attacked the Prime Minister's indecisiveness that allowed this issue to become an international problem.

5. (C) The debate comes on the heels of stepped up press coverage and increasingly partisan editorial opinions on the issue. The Government's lack of action for the past 10 months has generated close scrutiny among commentators, who link it to what even Christie's cabinet members acknowledge is his near incapacity to make a decision without complete cabinet unity on an issue. The FNM foreshadowed today's debate with a strong attack of PM Christie in the pro-FNM Tribune, a leading local daily. The pro-PLP Bahama Journal and the Foreign Minister's own former news outlet, Bahamas Uncensored, presented Foreign Minister Mitchell's counterpoint, claiming that "the Migration Accord between The Bahamas and Cuba, signed in 1996 and amended in 1998, does not allow for exceptions to repatriation."

6. (C) COMMENT: While the debate left some room that the Government would make a practical determination based upon Bahamian interests in the U.S. relationship, the Prime Minister's comments did not appear to indicate that he was ready to release the migrants to the U.S. The Prime Minister has a reputation for punching wildly when attacked, and his comments about the need to follow the MOU with Cuba could simply reflect his unwillingness to give ground in debate to

his opponent. He also needed to justify his 10-month delay and perhaps wanted to signal to Cuba that it values the agreement, even if it in the end releases the detainees. Following the debate, the MFA contacted the Charge to request written confirmation -- which we provided -- that the U.S. would admit the two dentists without delay if and when they are released. The conflicting signals speak volumes about a confused Christie Government struggling to extricate itself from a problem it could have quietly resolved many months ago. END COMMENT.

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